



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

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CRIMINAL DIVISION
FEDERAL HABEAS CORPUS SECTION

April 23, 2008

BY FACSIMILE AND MAIL

Hon. Victor Marrero
United States District Judge
United States Courthouse
500 Pearl Street, Room 660
New York, New York 10007

USDS SDNY
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DATE FILED: 4-23-08

Re: Edwards v. Superintendent Marshall
07-Civ. 9262 (VM)

Your Honor:

I am an Assistant Attorney General in the office of Andrew M. Cuomo, Attorney General of the State of New York, attorney for respondent in the above-referenced habeas corpus proceeding. I am writing to respectfully request a one week extension of time to respond to the petition for a writ of habeas corpus from April 25, 2008 to May 2, 2008.

Your Honor previously granted respondent an extension of time until April 25, 2008 to file a response to petitioner's 28 U.S.C. § 2254 petition based on the fact that respondent had not obtained the record or transcripts in petitioner's case. Although we have received most of the records in the case, there are still outstanding necessary portions of the record that had been ordered but have not yet been received. We have been informed that the outstanding records will be available by the end of this week. Therefore, respondent respectfully requests a one week extension of time to May 2, 2008, in order to obtain those documents and to complete the response to the petition. This is respondent's second request for an extension.

I thank the Court for its consideration in this matter.

Request GRANTED. The time for respondent to respond or otherwise move with respect to the petition in this action is extended to 5-2-08.

SO ORDERED.

4-23-08
DATE

VICTOR MARRERO, U.S.D.J.

Respectfully submitted,

Priscilla Steward (RS1931)
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